ABBREVIATED PRELIMINARY ASSESSMENT REPORT

ELLA WAREHOUSE DRUMS

EPA ID NO. TXD988021416

HOUSTON, HARRIS COUNTY, TEXAS

June 1997

Prepared for:

Environmental Protection Agency

Dallas, TX

Fluor Daniel, Inc.
Submitted by:

for Joey Waldman
Project Geologist

Fluor Daniel, Inc.
Approved by:

Bill Park
Project Manager

1.0 INTRODUCTION

Fluor Daniel, Inc. has been tasked by the U.S. Environmental Protection Agency (EPA) Region 6 to conduct a Preliminary Assessment (PA) of the Ella Warehouse Drums site, in Houston, Harris County, Texas (EPA ID No. TXD988021416). After reviewing the file information provided by the EPA, the EPA Work Assignment Manager (WAM) and the Fluor Daniel Project Manager (PM) concluded that an abbreviated report would be sufficient to complete the PA assignment. This report is based on file information provided by the EPA.

1.1 Preliminary Assessment Objectives

The purpose of a PA is to determine whether further investigations are warranted and to screen sites for further consideration under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The PA investigation determines CERCLA eligibility, reviews file information, documents the presence, and type, or absence, of area receptors and unconfined or uncontrolled hazardous substances on-site and off-site, and documents site characteristics. Information obtained during the PA supports the management decision of whether the site warrants immediate removal action, proceeds to a Site Inspection (SI), or receives the classification of No Further Remedial Action Planned (NFRAP) under the Superfund Amendments and Reauthorization Act (SARA).

Preliminary information obtained during initial investigations indicate that the site does not pose a threat to human health and the environment. The EPA WAM and Fluor Daniel PM determined that an abbreviated PA would be necessary to complete the task for this site.

2.0 SITE DESCRIPTION AND OPERATIONAL HISTORY

This section addresses site description, operational history, source characterization, hazardous waste characteristics, and regulatory status of the facility.

2.1 Site Location

Ella Warehouse Drums, hereafter referred to as the site, is located at 3308-O Ella Boulevard, Houston, Harris County, Texas. The geographical coordinates of the site are 29°48' 59.0" North latitude and 95° 25' 42.3" West longitude as determined on a USGS 7.5 Minute Topographic Map [Ref. 1]. The site is located in a leased warehouse space surrounded on the east, west, and north sides by other leased warehouse businesses [Figure 1]. South of the site is a driveway and parking lot , a power line easement and a residential area. The site is located in the center of a three building warehouse strip center [Ref. 2, pp. 3 - 4].

2.2 Operational History

The site was leased by Dr. Harold Rockaway in or about March 1987. Dr. Rockaway was a major stockholder of the company R2P2 who had a joint venture with Chemical Decontamination Corporation (ChemDecon). ChemDecon obtained a three-year permit by the EPA on January 25, 1985 to operate a

mobile dechlorination unit used in the destruction and processing of wastes containing polychlorinated biphenyls (PCBs) [Ref. 3, pp. 1 - 3]. The mobile unit was stored at the site beginning March 29, 1987. The site was also the storage location of the feed stock and waste materials. On March 28, 1988 Dr. Rockaway was contacted by the EPA concerning the lack of permit renewal attempts following permit expiration. Dr. Rockaway stopped paying rent on the warehouse space in May 1990 [Ref 2, pg. 3].

On November 20, 1990 the Houston Health Department was notified by the warehouse property owner of approximately 130 abandoned drums in the warehouse space [Ref. 4, pp. 1]. The Houston Health Department visited the site the same day and notified EPA's Emergency Response Branch. The next day EPA's On-Scene Coordinator (OSC) and Technical Assistance Team (TAT) visited the site. The OSC determined that, due to the extremely hazardous nature of the suspected incompatible materials and the potential health threat to the surrounding businesses and residents, an emergency response action should be initiated immediately. The OSC implemented a Emergency Removal Action which was approved by the Director of the Environmental Services Division [Ref 2, pp. 3 - 4].

An Emergency Response Cleanup Services Contractor (ERCS) was activated by the OSC who arrived with a crew on November 30, 1990 to perform a hazardous characterization and stabilize the drums. The drums were transported off-site for appropriate disposal on November 25 and 26, 1991. Wipe samples collected from the flooring following removal afterward indicated no detectable concentrations of PCBs [Ref 2, pp. 3 - 6].

2.3 Regulatory Status/Current Site Activities

The site is currently owned by Bernell and Associates, a holding company in Houston who purchased the warehouse property in 1996. Currently there are no drums onsite. Another tenant is now leasing the warehouse space from Bernell and Associates [Ref 5, pg. 1].

2.4 Source and Waste Characterization

The site was the storage location of the mobile dechlorination unit, feed stock and waste material. It is unknown if processing of PCB waste occurred at the site. When the OSC arrived onsite on November 30, 1990 to perform hazardous characterization and stabilize the drums, 116 drums and 10 5-gallon buckets were found. The drums and buckets were arranged near one corner of the warehouse space and appeared to be in fair condition. An unknown powdery substance and dark stains were observed at the base of a few drums. Most of the drums were labeled as either "Hazardous Waste D003", "PCBs", "Sodium Metal in Oil", or "Dangerous When Wet". Contents of the drums included PCB oils, sodium blocks, reactive sodium-sludge and oil mixtures, mixtures with flammable liquids, discarded personnel protective equipment, used filters, contaminated spill adsorbents, sample vials, and other debris [Ref 2, pg. 3].

After hazardous characterization, 109 drums were transported to Treatment One in Houston and 30 drums were transported to TES-Laidlaw in LaPorte, Texas on November 25 and 26, 1991 [Ref. 2, pg. 6].

3.0 SUMMARY

Ella Warehouse Drums was located at a warehouse lease space at 3308-O Ella Boulevard in Houston, Texas. The warehouse space was the storage facility for feed stock, waste materials and a mobile dechlorination unit owned by Chemical Decontamination Corporation (ChemDecon). The mobile unit was used in the destruction and processing of wastes containing PCBs. The warehouse space was leased by Dr. Harold Rockaway, a major stockholder of the company R2D2 who had a joint venture with ChemDecon. ChemDecon had received a three-year permit by the EPA to operate the mobile unit expering on January 23, 1988.

The Houston Health Department was notified by the warehouse owner on November 20, 1990 of approximately 130 abandoned drums in the warehouse space. After visiting the site the same day, the Houston Health Department notified the EPA's Emergency Response Branch of the situation. On November 21, 1990 EPA's On-Scene Coordinator (OSC) and Technical Assistance Team visited the site and implemented an emergency removal action.

On November 30, 1990 an Emergency Response Cleanup Services Contract was activated by the OSC who arrived with a crew to hazcat and stabilize the drums. On November 25 and 26, 1991, 109 drums were transported to were transported to Treatment One in Houston and 30 drums were transported to TES-Laidlaw in LaPorte, Texas. Wipe samples collected after removal of the drums indicated no detectable levels of PCBs.

Based on file information provided by the EPA and information provided by the current property owner, no drums or waste are currently onsite. Wipe samples collected after removal of the drums indicated no residual waste remained onsite. Threats to human health and the environment at this site have been eliminated due to the emergency removal action.

4.0 REFERENCES

1. U. S. Geological Survey. 7.5 Minute Topographic Map, Houston Heights, Texas Quadrangle, 1982.

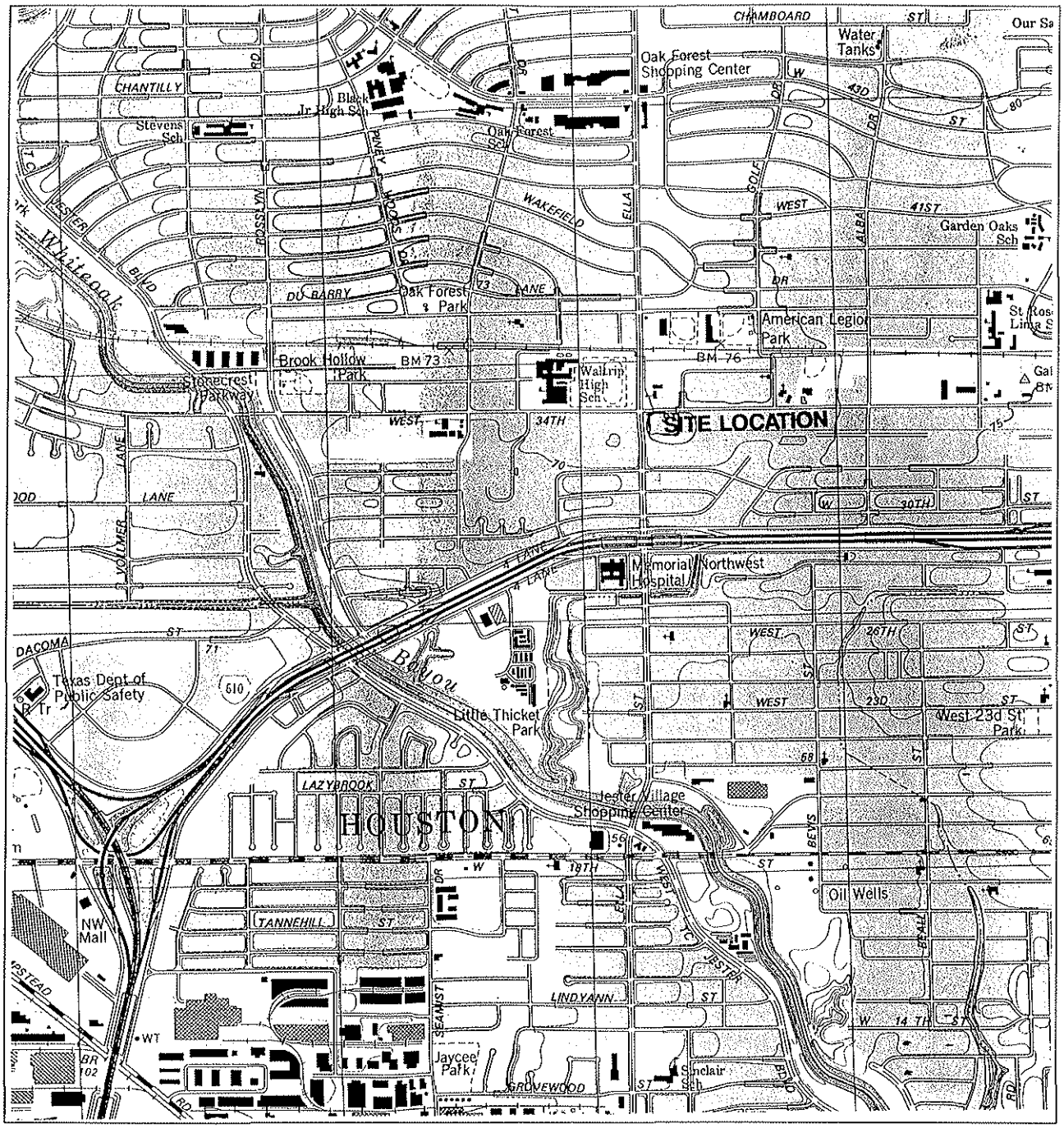
2. U.S. Environmental Protection Agency. Federal On-Scene Coordinator's Report. Prepared by: John J. Martin, U.S. EPA On-Scene Coordinator.

3. U.S. Environmental Protection Agency. Approval to Dispose of Polychlorinated Biphenyls and Associated Cover Letter. Prepared by: Don Clay, U.S. EPA Director of the Office of Toxic Substances. January 24, 1985.

4. U.S. Environmental Protection Agency. Potential Hazardous Waste Site Identification. Prepared by: John J. Martin. November 28, 1990.

5. Record of Communication. Search for Current Property Owner. From: H. Joey Waldmann, Fluor Daniel, Inc. To: James Taylor, Bernell and Associates. April 9, 1997.

FIGURE 1
SITE LOCATION MAP



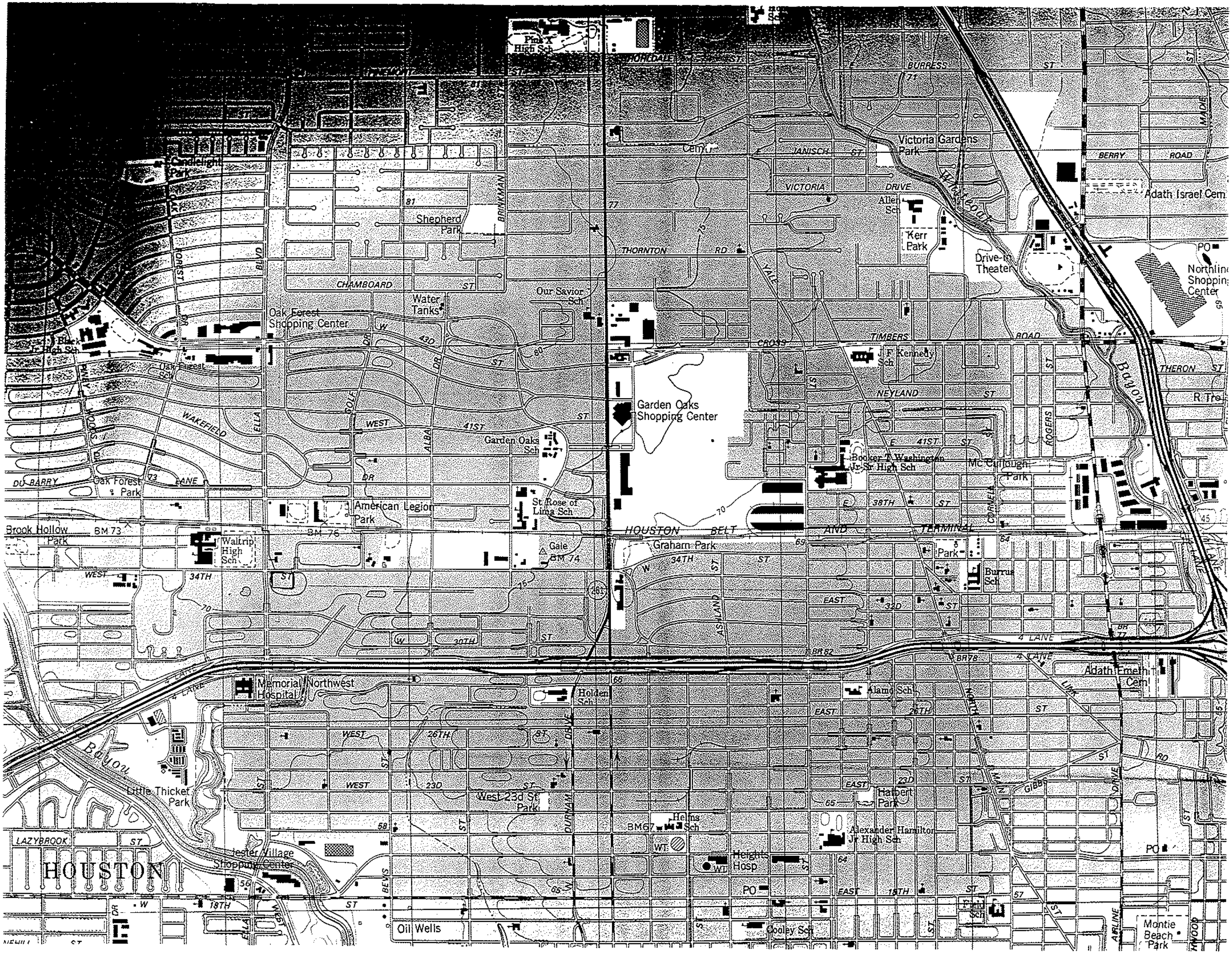
Note:USGS 7.5' Topographic Map, Houston Heights, TX Quadrangle, 1982.

FLUOR DANIEL

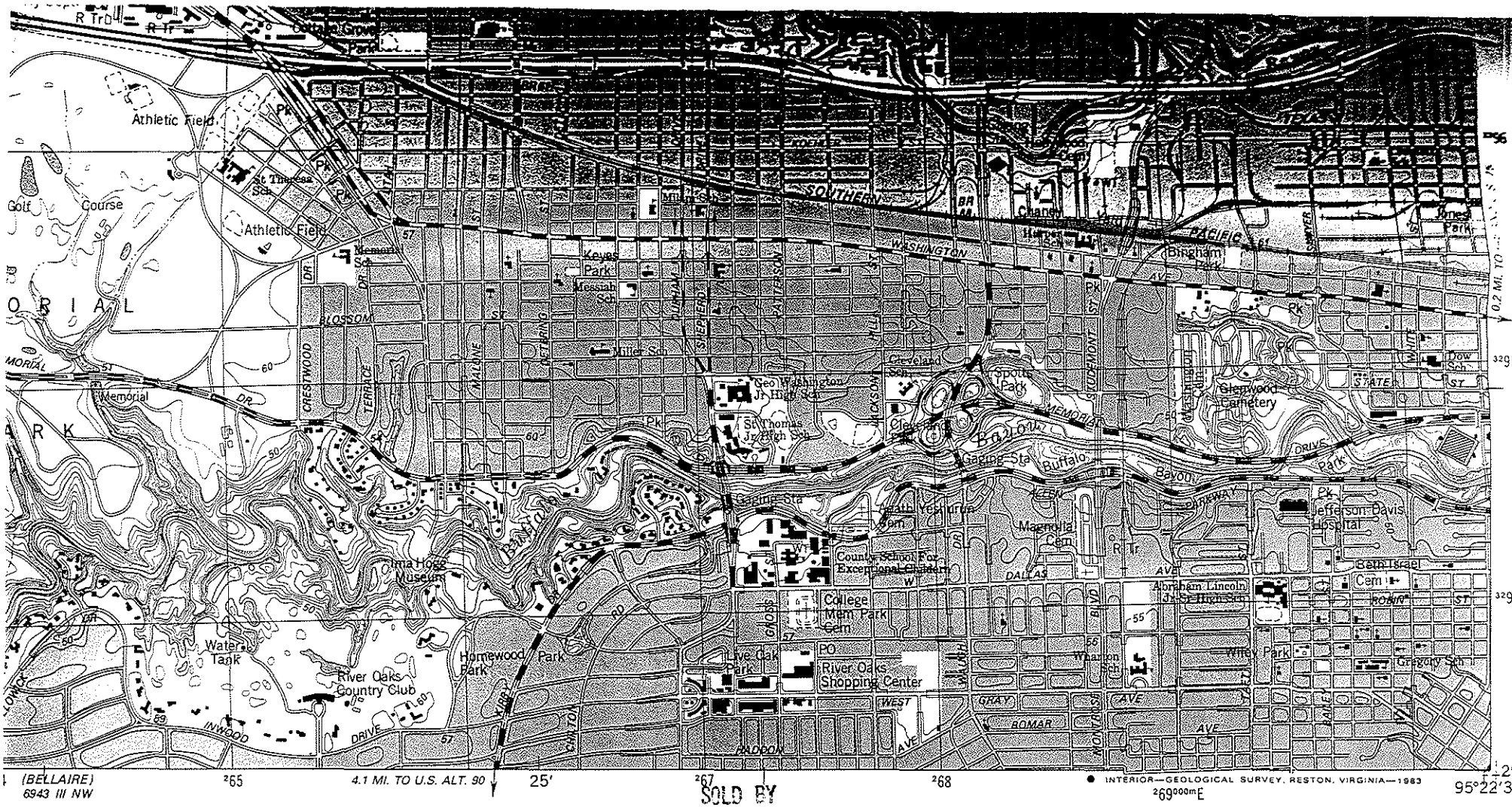
FIGURE 1
SITE LOCATION MAP
Ella Warehouse Drums
EPA ID No. TXD988021416
Houston, Harris County, Texas

REFERENCE 1

U. S. Geological Survey. 7.5 Minute Topographic Map, Houston Heights, Texas Quadrangle, 1982.



Pius X High Sch
Candlelight Park
Shepherd Park
Victoria Gardens Park
Adath Israel Cem
Allen Sch
Kerr Park
Drive-in Theater
Northline Shopping Center
Our Savior Sch
Water Tanks
Oak Forest Shopping Center
J F Kennedy Sch
Oak Forest Sch
Garden Oaks Shopping Center
Garden Oaks Sch
Booker T Washington Jr-Sr High Sch
Mc Cullough Park
Oak Forest Park
American Legion Park
St Rose of Lima Sch
Brook Hollow Park
Waltrip High Sch
Gale
Graham Park
Burrus Sch
Memorial Northwest Hospital
Holden Sch
Alamo Sch
Adath Emeth Cem
Little Thicket Park
West 23d St Park
Helms Sch
Harbert Park
Alexander Hamilton Jr High Sch
Heights Hosp
Jester Village Shopping Center
HOUSTON
Oil Wells
Cooley Sch
Field Sch
Montie Beach Park
HOUSTON BELT AND TERMINAL



INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1983

ALE 1:24 000

0 1 MILE

3000 4000 5000 6000 7000 FEET

0 1 KILOMETER

INTERVAL 5 FEET
IC VERTICAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
ENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

QUADRANGLE LOCATION

2995–432

ROAD CLASSIFICATION

Primary highway, hard surface
Secondary highway, hard surface
Light-duty road, hard or improved surface
Unimproved road
Interstate Route
U. S. Route
State Route

HOUSTON HEIGHTS, TEX.

N2945–W9522.5/7.5

1982

DMA 6943 IV SW–SERIES V882

REFERENCE 2

U.S. Environmental Protection Agency. Federal On-Scene Coordinator's Report. Prepared by: John J. Martin, U.S. EPA On-Scene Coordinator.

FEDERAL ON-SCENE COORDINATOR'S REPORT

Ella Warehouse Drums Site, non-NPL

Houston, Harris County, Texas

November 30, 1990 to November 29, 1991

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

Executive Summary

SITE: Ella Warehouse Site

LOCATION: Houston, Harris County, Texas

PROJECT DATES: November 30, 1990 to November 29, 1991

CERCLIS #: TXD988021416

SITE ID: 1H

INCIDENT DESCRIPTION:

A warehouse space located at 3308-O Ella Boulevard in Houston, Texas, was found to contain one hundred sixteen (116) drums and ten (10) pails; some of which contain PCB oils, flammable liquids and highly reactive sodium metal and sludge. The previous lessee had apparently used the space to store a de-chlorination unit along with the drums of feed stock, failed treatments, and waste debris. Potential Responsible Parties (PRPs) were notified but they not conduct the removal action.

ACTIONS:

The EPA's Emergency Response Branch (ERB) initiated an emergency response under the OSC $50,000 authority to respond to the public health threat posed by the drums abandoned at the warehouse space. On November 30, 1990, ERCS mobilized to the site for stabilizing and characterizing the contents of the drums. An Action Memorandum was approved by the Regional Administrator on June 25, 1991, procuring additional funds needed for the laboratory analysis and the off-site disposal of the hazardous materials. All drummed materials of hazardous wastes and site debris was transported off-site to RCRA approved facilities for storage or treatment, then they were properly disposed.

for J. Chris Peterson

John J. Martin, OSC
U.S. EPA, Region 6
Dallas, Texas

I. SUMMARY OF EVENTS:

A. Site Conditions and Background:

1. Initial situation:

On November 20, 1990, the Houston Health Department notified the EPA's Emergency Response Branch (ERB) concerning abandoned drums found in a warehouse space. The warehouse space is located in northwest Houston, Texas. The area is heavily populated with the nearest resident being less than three hundred feet away, a high school less than one mile away, and several active businesses occupying neighboring warehouse spaces. Also, several fast food restaurants and retail stores are located nearby.

The next day, the OSC and the Technical Assistance Team (TAT) conducted an reconnaissance of the warehouse space. The drums were staged in the corner of warehouse space and were intermixed with various combustible materials, including a large wooden crate filled with books and user manuals. A few of the drums were stacked on top of the other drums. Most of the drums had various and mixed labeling such as "Hazardous Waste D003," "PCBs," "Sodium Metal in Oil," and "Dangerous When Wet."

Due to the extremely hazardous nature of the suspected incompatible materials and the health threat that they posed to the nearby light-industrial businesses and residences, it was determined that an emergency response action should be initiated immediately under the OSC $50,000 authority. The ERB action was coordinated with the EPA Office of Criminal Investigation (OCI) which were also investigating the case.

The OSC activated the Emergency Response Cleanup Services Contract (ERCS) and arrived on-site with a crew to begin stabilization and characterization of drum contents on November 30, 1990. The warehouse was found to contain one hundred sixteen (116) drums and ten (10) pails. The drums were sampled and then staged in groups according to chemical compatibilities determined by the field hazard characterization procedures (hazcat). Contents of the drums included PCB oils, sodium blocks, reactive sodium-sludge and oil mixtures, mixtures with flammable liquids, discarded Personnel Protective Equipment, used filters, contaminated spill adsorbents, sample vials, and other debris.

2. Location of hazardous substance(s):

The warehouse space with the drums is part of a three building strip center located on Ella Boulevard in Houston, Texas. The warehouse space (3308-0) is located almost in the center of the warehouse buildings. It is bounded on the east and west sides by other lease space businesses. Separation of the space from the

other business is by a metal/sheetrock wall. Located south of the buildings is a driveway and parking space. Further south is a powerline easement and a residential area. Other businesses are located to the north.

3. Cause of the release or discharge:

The site was the storage location of an experimental mobile dechlorination unit, feed stock materials, and waste materials used in the destruction of PCB wastes. Dr. Harold Rockaway of Houston had leased the warehouse space but stopped paying rent in May of 1990. The mobile unit had been removed from the site prior to the investigation by the EPA, but the drummed waste materials were abandoned.

The company permitted to operate the mobile unit was Chemical Decontamination Corporation (Chem Decon) of Birdsboro, PA. Chem Decon had a joint venture with R2P2, of which Dr. Rockaway was the major stockholder. A letter dated March 29, 1988, from the EPA's PCB disposal section to Dr. Rockaway indicates that the Chem Decon PCB disposal permit had not been renewed. The letter notes that the EPA had been unable to contact Chem Decon and express concerns about the possibility of permitting future operations.

4. Efforts to obtain response by responsible parties:

During the initial emergency response, the identified Potential Responsible Party (PRP), Dr. Rockaway, was given a verbal notice to respond immediately to mitigate the threat. He stated that he could not respond due to financial difficulties. After the Action Memorandum was prepared, notice letters were issued to Dr. Rockaway and the building's property owners. The building's property owners indicated an interest to negotiate but were unable to respond in a timely and proper manner. Dr. Rockaway still wasn't able to respond.

B. <u>Organization of the Response</u>:

A Classic Emergency Removal Action was implemented to address the imminent threat posed by the hazardous nature of the drummed contents. The emergency action was initiated under the OSC's $50K authority and approved by the Director of the Environmental Services Division. The initial action included stabilizing the site and inventorying the warehouse's contents. The contents of the drums were field tested using hazardous characterization techniques (hazcat) and the drums staged according to compatible groups.

Poorly conditioned drums were overpacked. The drums were staged in the warehouse in compatible groups and the crews demobilized on December 4, 1990.

An Action Memorandum was approved by the Regional Administrator on June 25, 1991, procuring additional funds needed for the off-site disposal of the hazardous materials. Enforcement activities continued requesting the PRPs to conduct the removal action needed. The TAT visited the site periodically to check the warehouse's contents. TAT also assisted ERCS in compositing samples for laboratory analysis needed to prepare the disposal profile sheets for the waste streams.

On November 18, 1991, the OSC, ERCS, and TAT were remobolized to the site to complete the removal action. ERCS began finalizing the arrangements necessary for the off-site transportation to permitted treatment/storage/disposal (TSD) facilities.

On November 20, during the bulking of two drums that had been determined to be compatible from the hazcat data, a reaction of the mixture occurred. Upon further investigation by the TAT team, it was concluded that small particles of sodium were encapsulated by the oil, thereby providing a negative result during the reactivity test of the hazcat. The hazcat reactivity test was modified by adding soap to the test solution and all the oil/sludge drums were re-hazcatted. Several additional drums were found to be reactive using this modified method. TAT then developed and implemented a pilot scale test to determined the degree of reactivity for the sodium sludges, enabling ERCS to perform on-site treatment of the mildly reactive sludge before shipment to the TSD facility.

November 25 and 26, 109 drums were transported to Treatment One and 30 drums were transported to TES-Laidlaw. As the warehouse's floorspace became available, ERCS cleaned the warehouse floor using a commercial cleaner and steam cleaner. Afterwards, wipe samples were taken and analyzed for PCBs. The analytical results indicated no detectable limits of PCBs.

Crews demobilized November 27, 1991.

State and local authorities were notified of the response action, as were the other tenants of the warehouses and several citizens passing-by the work area. A local news station visited the site after the OCI received a search warrant at the court house.

MATERIALS AND DISPOSITION

LOCATION	MATERIAL	AMOUNT	METHOD
Treatment One 5743 Cheswood Houston, TX 77087	Flammable Solids	11 drums	
	Flammable Liquids A	15 drums	
	Flammable Liquids B	5 drums	
	Non-Character Solids	23 drums	
	Clear Oil (Flam Liq)	3 drums	
	Site Debris (PPE)	17 drums	
	Decon Water	4 drums	
	Combustible Oil	16 drums	
	Sodium & Debris	11 drums (3,183 lb.)	
	Pure Sodium Metal	4 drums (1,746 lb.)	
TES-Laidlaw 500 Battleground LaPorte, TX 77571	Site Debris (PPE)	2 drums	
	Haz Liquid	20 drums	
	Combustible Oil w/sludge	2 drums	
	Non-character Solids	1 drums	
	Dirty Oil w/PCB	4 drums	
	Decon Water	1 drums	

E. **Resources Committed**:

This removal action was initiated as a Classic Emergency under the OSC's $50,000 authority. As mention beforehand, further funds were procured to complete the project. The approximate cost associated with this removal action is summarized below:

REMOVAL PROJECT ESTIMATED TOTAL COST SUMMARY

	Amount Budgeted	Estimated Cost To Date
ERCS	$ 280,000	$ 256,166
TAT	$ 30,000	$ 25,862
EPA	**	$ 20,240
TOTAL	$ 381,100	$ 302,268

II. EFFECTIVENESS OF REMOVAL ACTIONS

A. Actions Taken by PRPs:

The PRPs identified during this removal response did not perform any site work. However, the warehouse's property owners were cooperative in support activities including providing electrical power, site access, and pertinent information. Also, the warehouse's property owners notified the local authorities after discovering the abandoned drums in their warehouse.

B. Actions by State and Local Agencies:

The Houston Health Department (HHD) was notified of the abandoned drums from the building's property owners. HHD visited the site and then notified the FBI/OCI and ERB. When it was decided to initiate a removal action at the site, the Texas Water Commission, the HHD, the local fire department and HazMat Team were notified of the planned activities and of the suspected hazardous materials.

The local fire department and hazmat team responded promptly to the site after being notified by ERCS of the fire caused by the bulking of incompatible materials on November 20, 1991. They provided assistance by dousing the outside of the drum with water to kept it cool. After consultation of all involved parties, it was decided that allowing the drum to burn posed no further threat.

C. Actions Taken by Federal Agencies and Special Teams:

The activities leading to the transportation, storage, and abandonment of the hazardous materials in the warehouse space was investigated by the EPA Office of Criminal Investigation (OCI).

D. Actions Taken by Contractors, Private Groups, and Volunteers:

During this removal action, the Emergency Response Contracting Services (ERCS) was provided by Riedel Environmental Services and the Technical Assistance Team (TAT) was provided by Ecology and Environment. They followed all health and safety protocols, and safety and environmental laws. Despite delays in the arrangement of the off-site disposal, ERCS completed the on-site removal activities within the mandatory one-year time frame. Neither private groups nor volunteers were involved during this removal action.

III. DIFFICULTIES ENCOUNTERED

A. Items That Affected the Response:

The categorization and profiling of the waste streams during this removal action was difficult due to the mixed debris involved in many of the drums. Some drums had been packed with variable debris; some of which showed to be reactive during inspection but did not represent the entire contents of a particular drum for sampling and disposal purposes. Also, some of the reactive sludges went undetected by the ERCS chemist until the bulking of two incompatible drums. This problem was resolved by modifying the hazcat procedure towards the end of the project.

Another item that arose near the end of the removal was arranging the disposal of the PCB wastes. They were only a few PCB waste disposal facilities operating in the geographical region. The facility that ERCS was making disposal arrangements with had just gone of compliance temporally. Arranging disposal at another facility in a timely manner was unlikely due to the waiting lists and the lengthy ERCS's subcontract agreement that must be signed. Also, arranging the storage of the PCB drums until the final disposal could be implemented was complicated due to an EPA regulatory requirement. This regulatory requirement referred to the proper notification needed for out of service transformer PCB fluids. Without the proper documentation readily available, the OSC was unable to ascertain the background history of PCB oils needed for the regulation's notification documentation. The EPA's Toxics Section of the Air, Pesticides and Toxics Division was very helpful in communicating to the storage facility the bases of an EPA emergency response action at the site which had already been approved by the Regional Administrator and stressing that EPA was assuming the generators's role of responsibility. Otherwise, the transportation of the PCB oil off-site would not have occurred in a timely manner.

B. Issues of Intergovernmental Coordination:

As this removal action proceeded concurrently with the OCI investigation, intergovernmental coordination was efficient and did not hinder this response action. Also, coordination of the other governmental agencies (FBI, HHD, Houston Haz Mat Team) involved during the investigation went well.

C. Difficulties Interpreting, Complying With, or Implementing Policies and Regulations:

The preparation of the Action Memorandum and subsequent PRP notifications were delayed due in part to the confusion cause by the regional policy of an Imminent and Substantial Endangerment Memorandum (ISE). The ISE was a new concept in the development stages at the start of this removal action. The confusion in part was due to what exactly constituted an "official ISE". Enforcement activities were not to begin until an ISE was official. Since then, the removal, enforcement, and legal programs have reached an "understanding" of what is required for an "official ISE".

IV. RECOMMENDATIONS

A. Means to Prevent a Recurrence of the Discharge or Release:

In this particular case, perhaps a more efficient tracking and enforcement system for innovative treatment technologies could have prevented the PRP from improperly transporting, storing, and abandonment of the hazardous waste.

B. Means to Improve Response Actions:

As mention beforehand, the ISE intra-program policy has been worked-out and concurred upon between the removal, enforcement, and legal programs.

C. Proposals for Changes in Regulations and Response Plans:

No changes are proposed at this time.

REFERENCE 3

U.S. Environmental Protection Agency. Approval to Dispose of Polychlorinated Biphenyls and Associated Cover Letter. Prepared by: Don Clay, U.S. EPA Director of the Office of Toxic Substances. January 24, 1985.

USEPA, to Chemical Decontamination Corp
Doc t # OPTS-62028 - PCB
J A.3 File

#27

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 24 1985

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

Mr. Robert G. Layman
President, Chemical Decontamination
Corporation
5 Riga Lane
Birdsboro, Pennsylvania 19508

Dear Mr. Layman:

Enclosed is a document entitled "Approval to Dispose of Polychlorinated Biphenyls". This document permits Chemical Decontamination Corporation (Chem decon) to chemically destroy polychlorinated biphenyls (PCBs) in: (1) mineral oil dielectric fluid (MODEF) containing less than or equal to 650 ppm PCBs, and (2) other oils containing less than 500 ppm PCBs, subject to the listed conditions of approval. This approval is issued pursuant to Section 6(e)(1) of the Toxic Substances Control Act (TSCA) of 1976 (Public Law 94-469) and the Federal PCB Regulations, 40 CFR Part 761.60(e) (48 FR 13185, March 30, 1983).

The approval is based upon the ability of the Chem decon PCB Destruction Process to destroy PCBs to a level below 2 parts per million (ppm) with no detectable PCB emissions to air or releases to water. (The 2 ppm was chosen because it is the Environmental Protection Agency (EPA)-designated limit of detection of PCBs in oil). In addition, the approval is based upon the Agency's conclusion that the Chem decon PCB Destruction Process does not present an unreasonable risk of injury to public health or the environment.

This approval shall be effective January 25, 1985 and shall extend to January 25, 1988. The approval may be withdrawn, or further conditions may be added to it at any time EPA has reason to believe that operation of the Chem decon PCB Destruction Process presents an unreasonable risk of injury to health or the environment. Withdrawal of the approval, or the imposition of further conditions, may also result if new information requires changes, or EPA issues new regulations or standards for issuing permits. Moreover, violation of any condition included as part

of this approval may subject Chem decon to enforcement action and/or termination of the approval.

You should advise your customers that if the MODEF is returned to a transformer after being successfully treated by the Chem decon PCB Destruction Process, the transformer cannot be reclassified unless the fluid is tested following a minimum of three months of in-service use. In-service use is defined as use under electrically loaded conditions that raise the temperature of the dielectric fluid to at least 50 °C. Furthermore, if the pretreatment MODEF had a PCB concentration of 50 ppm or more, and treatment with the Chem decon PCB Destruction Process did not reduce this concentration to less than 2 ppm, the MODEF must still be disposed of as though it contained the original concentration of PCBs.

In this approval, the PCB level in the untreated MODEF has been limited to a maximum concentration of 650 ppm. The PCB level in other oils has been limited to a maximum concentration of 500 ppm. These restrictions prevent Chem decon from treating MODEF and other oils that contain higher concentrations of PCBs. Chem decon may not blend PCB-laden MODEF or other oils to reduce the PCB concentration to within the maximum permissible concentrations for treatment. Please be advised that approval for treating higher concentrations of PCBs in MODEF or other oils may be considered when Chem decon demonstrates such capabilities to the satisfaction of EPA. Such demonstrations may be accomplished either during commercial processing or through other controlled experimentation. Authorized EPA representatives may be present to witness the demonstrations and obtain split samples for verification of analytical results.

It is the responsibility of you and your company, Chemical Decontamination Corporation, to comply with all applicable provisions of TSCA and the Federal PCB Regulations in processing the PCB-containing MODEF or other oils. Violation of any of the applicable provisions and the conditions of approval may be cause for recision of this approval. Furthermore, this approval does not relieve you of the responsibility to comply with all other applicable Federal, State and local regulations and ordinances for transporting, siting, operation, and maintenance of the Chem decon mobile unit(s).

EPA reserves the right to inspect the Chem decon mobile unit(s), to be used for the disposal of PCBs, and the records which Chem decon is required to maintain under the Federal PCB Regulations during operation and at other reasonable times.

Please contact Jared Flood of my staff at (202) 382-3962 if you have any questions pertaining to this approval.

Sincerely,

/s/ Signed

Don R. Clay, Director
Office of Toxic Substances

Enclosure

cc: Regional Administrators I - X

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF	)	APPROVAL TO DISPOSE
	)	
CHEMICAL DECONTAMINATION	)	OF POLYCHLORINATED
	)	
CORPORATION	)	BIPHENYLS (PCBs)
	)	
BIRDSBORO, PENNSYLVANIA	)	

AUTHORITY

This approval is issued pursuant to Section 6(e)(1) of the Toxic Substances Control Act of 1976, Public Law No. 94-469, and the Federal PCB Regulations, 40 CFR 761.60(e) (48 FR 13185, March 30, 1983).

EFFECTIVE DATE

This approval shall be effective upon the signature of the Director of the Office of Toxic Substances.

BACKGROUND

Section 6(e)(1)(A) of the Toxic Substances Control Act (TSCA) requires that EPA promulgate rules for the disposal of polychlorinated biphenyls (PCBs). The rules implementing section 6(e)(1)(A) were published in the Federal Register of May 31, 1979 (44 FR 31514) and recodified in the Federal Register of May 6, 1982 (47 FR 19527). Those rules, among other things, require that various types of PCBs and PCB Articles be disposed of in EPA-approved landfills (40 CFR 761.75), incinerators (40 CFR 761.70), high efficiency boilers (40 CFR 761.60), or by alternative methods (40 CFR 761.60(e)) that demonstrate a level of performance equivalent to EPA-approved incinerators or high efficiency boilers. The rules also designated Regional Administrators as the approval authority for PCB disposal facilities.

On March 30, 1983, EPA issued a procedural rule amendment to the PCB rule (48 FR 13185). This procedural rule change transferred the review and approval authority of mobile and other PCB disposal facilities that are used in more than one region to the Office of Pesticides and Toxic Substances (OPTS). The purpose of the amendment is to eliminate duplication of effort in the regional offices and to unify the Agency's approach to PCB disposal. The amendment gives the Assistant Administrator authority to issue nationwide approvals (i.e., approvals which will be effective in all ten EPA regions) to mobile and other PCB disposal facilities that are used in more than one region. The Assistant Administrator subsequently delegated this approval authority to the Director of the Office of Toxic Substances (OTS)

on January 23, 1984.

Chemical Decontamination Corporation (Chem decon) submitted a preliminary application and demonstration plan to EPA for nationwide approval to treat mineral oil dielectric fluid (MODEF) containing PCBs in November 1983. Chem decon submitted supplemental information, including revisions to its application and demonstration plan, in December 1983 and March 1984. This plan was approved by the Director of the Office of Toxic Substances on June 29, 1984, and Chem decon conducted research and development test runs on July 2 and 3, 1984, at the Metropolitan Edison (Met. Ed.) central facility in Reading, Pennsylvania. Chem decon commenced a full-scale commercial demonstration at the Met. Ed. central facility on September 10, 1984. EPA personnel witnessed the initial stages of the demonstration to verify Chem decon's on-site chemical analysis of the treated MODEF and to obtain split samples for subsequent analysis and verification. Chem decon completed the demonstration on October 5, 1984.

FINDINGS

1. Chemical Decontamination Corporation (Chem decon) of Birdsboro, Pennsylvania proposes to chemically destroy polychlorinated biphenyls (PCBs) contained in MODEF, using one or more mobile unit(s).

2. In the demonstration in Reading, Pennsylvania, the MODEF containing PCBs was fed into a reaction vessel and mixed with a reagent which removed the chlorine atoms from the biphenyls. This dechlorination process produced inorganic chloride, and polyphenylene. Treatment continued in the reaction vessel until Chem decon, through its on-site analysis, confirmed that the concentration of PCBs in the MODEF had been reduced to the EPA-designated level of less than 2 parts per million (ppm) per-resolvable gas chromatographic peak. The treatment products were filtered from the MODEF, and the filtered fluid was returned to an on-site tanker.

A sample of each batch of treated MODEF was drawn and analyzed by gas chromatography for the concentration of PCBs. Chem decon recorded and retained written and graphic verification of the analyses and submitted verification to EPA.

Pertinent test results were submitted to EPA in a test report dated November 12, 1984. The test results demonstate that the Chem decon PCB Destruction Process is capable of destroying PCBs in MODEF contaminated with a PCB level as high as 650 ppm.

3. The Chem decon PCB Destruction Process is a closed process that is capable of treating PCB-contaminated MODEF on-site through the use of mobile units. The closed process minimizes the potential for exposure to workers and the general population. In addition, the on-site treatment capability of the

Chem decon mobile unit virtually eliminates the potential risk of a spill of PCB materials during transportation.

Transportation costs contribute significantly to the total cost of disposal. Since the on-site treatment capability of the Chem decon mobile unit will eliminate or reduce transportation of PCBs, the total cost of disposal may be reduced. Small firms, in particular, could benefit from the reduced cost of PCB disposal.

4. The Chem decon PCB Destruction process, as designed, does not emit harmful materials into the environment. Solid wastes are produced in small amounts in the form of spent filter media and sludge. These solid wastes contain polyphenylene substances, sodium chloride, and a small amount of treated MODEF. This composition does not present an unreasonable risk of injury to human health or the environment.

5. In the event of a malfunction during processing, the Chem decon mobile unit is designed to allow PCB-containing fluid to be returned to the original tank or container. This fluid can then be treated again.

6. Chem decon has developed and filed with EPA a closure plan for terminating Chem decon mobile units. This plan includes the decontamination and disposal of PCB-contaminated equipment or process materials, and testing of the equipment before it is removed from service to assure that no PCBs are present.

7. Chem decon has provided EPA with a description of its training program for Chem decon process operators and technicians. This program is intended to help ensure that operation of the Chem decon mobile units is in compliance with applicable safety and health standards. The training program, as described, encompasses:

a. safety, recordkeeping, and sampling and analysis;

b. operational procedures for using, inspecting, repairing and replacing Chem decon mobile facility equipment, including the monitoring and control system; and

c. spill prevention, cleanup and emergency response procedures.

8. In 1979, EPA estimated that there were approximately 750 million pounds of PCB material in use in the United States (U.S.) and an additional 29 million pounds in storage awaiting safe disposal. This backlog of PCB waste awaiting disposal has increased substantially due to several PCB regulations. The 40 CFR 761.65(a) storage for disposal requirements limit the storage of all PCB material stored for disposal to one year. This one-year deadline began to run on January 1, 1983. In addition, the use conditions under 40 CFR 761.30 require that transformers and large capacitors near food or feed in

unrestricted areas be removed from service by 1985 and 1988, respectively.

High temperature incineration is a proven destruction method for liquid and non-liquid PCBs, and is particularly effective in destroying high concentration PCB waste. However, only six incinerators have been approved for commercial destruction of PCBs in the U.S. (only two of these are mobile facilities). The availability of the Chem decon mobile unit(s) would provide additional PCB destruction capacity for low concentration PCB material, and increase the availability of incineration capacity for destruction of other high concentration PCB materials.

9. The Chem decon PCB Destruction Process has been shown to have a level of performance equivalent to that of the required thermal destruction methods (incinerators and high efficiency boilers). In the Preamble to the PCB Ban Rule, EPA expressed the expectation that approved incinerators (§761.70) would achieve a destruction efficiency of 99.9999% and that high efficiency boilers (§761.60), which may be used to destroy PCBs in concentrations up to 500 ppm, would achieve a destruction efficiency of 99.9% or greater. While those percentages provide general guidance to determine the approximate destruction efficiency goals for alternate PCB disposal methods under 40 CFR 761.60(e), other factors may be considered in the determination of equivalency. For example, the mathematically calculated PCB destruction efficiency of the Chem decon PCB Destruction Process may be less than that achieved by an EPA-approved incinerator or high efficiency boiler, because the practical limit of detection of PCBs in oils is 2 ppm. However, this is offset by the fact that there are no detectable PCBs in the treated fluid at a detection limit of 2 ppm per resolvable gas chromatographic peak, no detectable PCB emissions, no worker exposure to PCBs, reduced risks associated with the virtual elimination of PCB storage and transportation and the potential cost benefits of on-site treatment.

10. MODEF has properties similar to other oils, but not all liquid hydrocarbon products.

11. Pursuant to 40 CFR 761.60(e) and the aforementioned findings, EPA finds that the Chem decon PCB Destruction Process is equivalent in performance to an EPA-approved incinerator or high efficiency boiler and that it does not pose an unreasonable risk of injury to human health or the environment.

CONDITIONS OF APPROVAL

1. An advance notification must be provided to the Regional Administrator of the EPA Region, the appropriate State official(s), and local official(s) where the Chem decon process is to be used. The notification must be provided to the appropriate official(s) at least 30 days, but not more than one year, in advance of the operation of the destruction process at the site. The notice must include the location (address) and nonconfidential date of the first operation. A specific time will be provided to EPA upon request.

2. The Chem decon PCB Destruction Process, as described in the design drawings and explanations on file in the Office of Toxic Substances, and as demonstrated to EPA in September 1984 may be used by Chemical Decontamination Corporation to destroy PCBs in MODEF and other oils. The concentration of PCBs in the MODEF shall not exceed 650 ppm. The concentration of PCBs in other oils shall not exceed 500 ppm. Chem decon may not blend PCB-laden MODEF or other oils to reduce the PCB concentrations to within the maximum permissible concentrations, 650 ppm for MODEF and 500 ppm for other oils, for treatment. Prior to treatment, the MODEF or other oils must be sampled and analyzed by gas chromatography for the concentration of PCBs in accordance with EPA-approved procedures that are outlined in the following documents:

a. "Quality Assurance and Quality Control Procedures for Demonstrating PCB Destruction in Filing for a PCB Disposal Permit," USEPA, June 28, 1983 (Draft);

b. "Guidelines for PCB Destruction Permit Applications and Demonstration Test Plans," May 17, 1983 (Draft);

c. "Interim Guidelines and Specifications for Preparing Quality Assurance Plans," OAMS-005/80, Office of Research and Development, USEPA, December 29, 1980.

Should Chem decon successfully demonstrate to EPA through controlled experimentation that the Chem decon PCB Destruction Process is capable of treating higher concentrations of PCBs in MODEF or other oils, this condition may be modified accordingly. Authorized EPA representatives may witness the demonstration and obtain split samples for verification of analytical results.

3. An estimate of the theoretical time necessary for complete reaction of each batch of MODEF or other oil must be recorded on-site before treatment of the batch is begun. These records must be available for inspection by authorized representatives of EPA and must be retained along with other records required under Conditions (6) and (16).

4. A sample of each batch of treated MODEF or other oil must be

drawn, and analyzed in duplicate (i.e., duplicate analysis) by gas chromatography for the concentration of PCBs at the site where the Chem decon PCB Destruction Process is being used. If the concentration of PCBs in the treated sample is 2 ppm or greater per resolvable gas chromatographic PCB peak (as calculated by comparison to an external standard homolog peak having the nearest retention time to each appropriate PCB peak to be quantified), the fluid must be reprocessed and reanalyzed to show less than 2 ppm per peak (according to the aforementioned method and procedures) before the next batch is treated.

5. If the quality control testing, as described in Condition (4), reveals that the PCBs have not been adequately destroyed after repeated processing (not to exceed three times the estimated theoretical time necessary for complete reaction), the affected unit shall cease operation. The facility operator must notify the PCB Disposal Site Coordinator in the appropriate EPA region immediately and file a written report with that region within seven (7) days. The affected unit shall not resume operation until the problem has been corrected to the satisfaction of the appropriate EPA region.

6. Provisions must be made to assure that the following process elements are suitably monitored and recorded for each batch of PCBs processed, such that materials harmful to health or the environment are not inadvertently released:

a. quantity and quality of PCBs and other raw materials (i.e., feedstock and chemical reagents) charged into the reaction vessel;

b. quantity and quality of treated fluid produced including wastes (the method of disposal and location of the disposal facility for each waste should be documented);

c. temperature and pressure of reaction in at least one-half hour intervals;

d. date, time and duration of run; and

e. name, address, and telephone number of operator and supervisor.

The records must be compiled and maintained in accordance with the time(s) and location(s) specified in Condition (16).

7. In the event Chem decon or an authorized facility operator of the Chem decon mobile unit believes, or has reason to believe, that a release has or might have occurred, the facility operator must inform the appropriate EPA region by telephone immediately.

A written report describing the incident must be submitted by the close of business on the next regular business day following the incident. No PCBs may be processed in that facility until

the release problem has been corrected to the satisfaction of the appropriate EPA region.

8. Any spills of PCBs or other fluids shall be promptly controlled and cleaned up as provided in Chem decon's spill prevention plan, and in accordance with the PCB spill cleanup procedures of the appropriate EPA region. In addition, a written report describing the spill, operations involved, cleanup actions and changes in operation to prevent such spills in the future must be submitted to the appropriate EPA region within five (5) business days.

PCB spills must be reported in accordance with the PCB spill reporting requirements prescribed under §311 of the Clean Water Act for discharges to navigable waters and under the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) for discharges to other media.

9. Chem decon must take all necessary precautionary measures to ensure that operation of the Chem decon mobile unit(s) is in compliance with the applicable safety and health standards, as required by Federal, State and local regulations and ordinances.

10. The Chem decon mobile unit shall be secured (e.g., fence, alarm system, etc.) at each commercial site to restrict public access to the area. Any bodily injury occurring as a result of the Chem decon PCB Destruction Process must be reported to the PCB Disposal Site Coordinator in the appropriate EPA region by the next regular business day.

11. Any reports required by Conditions (5), (7), (8), and (10) are to be submitted by telephone to the appropriate regional PCB Disposal Site Coordinator within the time frame specified. In addition, Chem decon shall file written reports with the Regional Administrator of the appropriate EPA region, and the Assistant Administrator for the Office of Pesticides and Toxic Substances (OPTS) within the time frame specified in the aforementioned conditions.

12. Chem decon shall be responsible for ensuring that personnel directly involved with the handling or disposal of PCB-contaminated fluid using the Chem decon PCB Destruction Process are demonstrably familiar with the general requirements of this approval. At a minimum, this must include:

a. the type of fluid which may be treated using the Chem decon PCB Destruction Process, and the upper limit of PCB contamination which may be treated;

b. basic recordkeeping requirements under this approval and the location of records;

c. notification requirements;

d. waste disposal requirements for process and by-product wastes generated during the operation of the Chem decon PCB Destruction Process; and

e. reporting requirements.

In this regard, Chem decon must maintain on-site during the operations of its mobile unit a copy of this approval; the spill prevention and cleanup plan; and sampling and analytical procedures used to determine PCB concentrations in untreated and treated materials.

13. Untreated PCB fluids may not be transported off-site on the Chem decon mobile unit. PCB-contaminated equipment (i.e., reactors, hoses, etc.) on the mobile unit may be transported off-site, in accordance with 40 CFR Section 761.40 and the U.S. Department of Transportation (USDOT) requirements of Title 49, CFR Part 172. Such requirements include placarding the mobile facility and labelling all PCBs.

14. All wastes generated by the Chem decon PCB Destruction Process, which are found to have resolvable gas chromatographic peaks of 2 or more ppm PCB, as calculated by comparison to an external standard homolog peak having the nearest retention time to each appropriate PCB peak to be quantified, must be reprocessed and the PCB concentration reduced to less than 2 ppm per resolvable gas chromatographic peak, or disposed of (as if the wastes contained the original PCB concentration of the pretreated MODEF or other oil) in a PCB disposal facility approved by EPA under 40 CFR Part 761. EPA-approved analytical methods for PCBs in different phases (water, solids and oil) must be used by Chem decon in making such determinations.

15. Chem decon shall incorporate financial assurance of closure and liability coverage provisions into its closure plan. These provisions must be equivalent to those specified in 40 CFR Part 264, Subpart H of the Resource Conservation and Recovery Act (RCRA), and provide funds for:

a. proper closure of the mobile PCB disposal units, and

b. compensating others for bodily injury and property damage caused by accidents arising from operations of the mobile disposal units.

Chem decon must file with the Assistant Administrator for OPTS documentation of compliance with these requirements by July 1, 1985.

16. Chem decon must develop and maintain the following records:

a. the name and address of each client whose MODEF or other oil was processed by the Chem decon PCB Destruction Process;

b. the date such service was performed;

c. an identification of the Chem decon PCB Destruction Process unit performing the service;

d. the amount of MODEF or other oil processed;

e. a copy of the gas chromotogram from the tests required by conditions (2) and (4);

f. the method of disposal and location of the disposal facility for each waste as described in condition 6(b); and

g. a summary of the total number of gallons of PCB-contaminated fluid processed through the Chem decon PCB Destruction Process during the previous calendar year.

The documents must be compiled within 60 days of the treatment date, must be kept at one centralized location, and must be available for inspection by authorized representatives of EPA. Such documents shall be maintained for at least five years. If Chem decon terminates business, these records or their copies must be submitted to the Assistant Administrator for OPTS.

In addition, Chem decon must maintain, aboard the mobile unit, a record of the PCB disposal services performed by the unit during the previous month. These records must be available for inspection by authorized representatives of EPA.

(17.) Chem decon must file a written pre-operation report with the Assistant Administrator for OPTS within thirty (30) days from the date of manufacture of each additional Chem decon mobile unit which is to be operated in the United States. This report shall contain the following information:

a. date of manufacture of the unit;

b. identification and/or serial number of the new Chem decon mobile unit;

c. certification by an independent, registered professional engineer to the effect that the Chem decon mobile unit is substantially identical to the original unit in terms of engineering design, hardware, process capacity, quality and workmanship;

d. certification by the chief executive officer of Chemical Decontamination Corporation signifying that the Chem decon mobile unit construction has been completed in such manner; and

e. a list of all nonsubstantive changes made to the design

and construction of the new Chem decon mobile unit which are not identical to the original Chem decon mobile unit.

18. No major modifications may be made to the Chem decon unit design, as described in the application and demonstration plan for this approval, without written approval of the Assistant Administrator for OPTS. For the purpose of this approval, "major modification" shall be defined as any change to capacity, design, efficiency, waste type, or any other changes affecting overall performance or environmental impact.

(19) Chem decon must notify EPA at least 30 days before transferring ownership in the Chem decon PCB Destruction Process. Chem decon must also submit to EPA, at least 30 days before such transfer, a notarized affidavit signed by the transferee which states that the transferee will abide by Chem decon's EPA approval. Within thirty days of receiving such notification and affidavit, EPA will issue an amended approval substituting the transferees name for Chem decon's name, or EPA may require the transferee to apply for a new PCB disposal approval. In the later case, the transferee must abide by Chem decon's EPA approval until EPA issues the new approval to the transferee.

20. Chem decon shall comply with all applicable requirements of the Federal PCB Regulation, 40 CFR Part 761, in the operation of the mobile Chem decon PCB Destruction unit(s). Particular note shall be given to:

a. 40 CFR, section 761.65 - storage for disposal;

b. 40 CFR, section 761.79 - decontamination; and

c. 40 CFR, section 761.180 - records and monitoring.

21. The conditions of this approval are severable, and if any provision of this approval or any application of any provision is held invalid, the remainder of this approval shall not be affected thereby.

22. This approval shall expire on January 25, 1988. For a renewal approval, EPA may require additional information and/or testing of the Chem decon PCB Destruction Process. In order to continue the effectiveness of this approval pending EPA action on reissuance, Chem decon must submit a renewal request letter to EPA at least 90 days, but not more than 180 days, prior to the expiration date of this approval.

b. the date such service was performed;

c. an identification of the Chem decon PCB Destruction Process unit performing the service;

d. the amount of MODEF or other oil processed;

e. a copy of the gas chromotogram from the tests required by conditions (2) and (4);

f. the method of disposal and location of the disposal facility for each waste as described in condition 6(b); and

g. a summary of the total number of gallons of PCB-contaminated fluid processed through the Chem decon PCB Destruction Process during the previous calendar year.

The documents must be compiled within 60 days of the treatment date, must be kept at one centralized location, and must be available for inspection by authorized representatives of EPA. Such documents shall be maintained for at least five years. If Chem decon terminates business, these records or their copies must be submitted to the Assistant Administrator for OPTS.

In addition, Chem decon must maintain, aboard the mobile unit, a record of the PCB disposal services performed by the unit during the previous month. These records must be available for inspection by authorized representatives of EPA.

(17.) Chem decon must file a written pre-operation report with the Assistant Administrator for OPTS within thirty (30) days from the date of manufacture of each additional Chem decon mobile unit which is to be operated in the United States. This report shall contain the following information:

a. date of manufacture of the unit;

b. identification and/or serial number of the new Chem decon mobile unit;

c. certification by an independent, registered professional engineer to the effect that the Chem decon mobile unit is substantially identical to the original unit in terms of engineering design, hardware, process capacity, quality and workmanship;

d. certification by the chief executive officer of Chemical Decontamination Corporation signifying that the Chem decon mobile unit construction has been completed in such manner; and

e. a list of all nonsubstantive changes made to the design

APPROVAL

1. Approval to dispose of PCBs is hereby granted to Chemical Decontamination Corporation of Birdsboro, Pennsylvania subject to the conditions expressed herein, and consistent with the material and data included in the application filed by the company. EPA reserves the right to impose additional conditions when it has reason to believe that the continued operation of the Chem decon mobile unit presents an unreasonable risk to public health or the environment, new information requires changes, or EPA issues new regulations or standards for issuing permits.

Any departure from the conditions of this approval or the terms expressed in the application must receive prior written authorization of the Assistant Administrator for the Office of Pesticides and Toxic Substances. In this context, "application" shall be defined as all data and materials which have been received by this Agency from Chemical Decontamination Corporation regarding the Chem decon PCB Destruction Process.

2. This approval to dispose of PCBs does not relieve Chemical Decontamination Corporation of the responsibility to comply with all applicable Federal, State and local regulations. Violation of any applicable regulations will be subject to enforcement action, which may include termination of this approval. This approval may be rescinded at any time for failure to comply with the terms and conditions herein, or for other reasons which the Assistant Administrator for the Office of Pesticides and Toxic Substances deems necessary to protect the public health and the environment.

3. Chemical Decontamination Corporation shall be responsible for the actions of any authorized Chem decon PCB Destruction Process employees when those actions are within the scope of operating or moving the Process, and shall assume full responsibility for compliance with all applicable Federal, State and local regulations including, but not limited to, any advance or emergency notification and accident reporting requirements.

4. EPA reserves the right for its employees or agents to inspect Chem decon PCB disposal activities at any location or reasonable time.

JA[illegible]985

Date

/s/ Signed

Don R. Clay, Director
Office of Toxic Substances

REFERENCE 4

U.S. Environmental Protection Agency. Potential Hazardous Waste Site Identification. Prepared by: John J. Martin. November 28, 1990.

Karen 11/35/90

EPA POTENTIAL HAZARDOUS WASTE SITE IDENTIFICATION

REGION	SITE NUMBER
	TXD-TEE021416

NOTE: The initial identification of a potential site or incident should not be interpreted as a finding of illegal activity or confirmation that an actual health or environmental threat exists. All identified sites will be assessed under the EPA's Hazardous Waste Site Enforcement and Response System to determine if a hazardous waste problem actually exists.

A. SITE NAME
Ella Warehouse Drums

B. STREET (or other identifier)
3308 Ella Blvd.

C. CITY
Houston

D. STATE
Tx

E. ZIP CODE

F. COUNTY NAME
Harris

G. OWNER/OPERATOR (If known)

1. NAME
DR. HAROLD ROCKAWAY

2. TELEPHONE NUMBER

H. TYPE OF OWNERSHIP (If known)
☐ 1. FEDERAL ☐ 2. STATE ☐ 3. COUNTY ☐ 4. MUNICIPAL ☒ 5. PRIVATE ☐ 6. UNKNOWN

I. SITE DESCRIPTION
Approximately 130 drums were abandoned in a warehouse space leased to DR. ROCKAWAY. The warehouse is owned by Metallic Product Corp. The drums are labled "Flammable Solids", "Reactive Wastes", "Hazardous Wastes", "PCBs", ~~etc.~~ "Sodium", etc.

J. HOW IDENTIFIED (i.e., citizen's complaints, OSHA citations, etc.)
Warehouse owner notified Houston Health Dept. → FBI → OCI → ERB

K. DATE IDENTIFIED (mo., day, & yr.)
11-20-90

L. SUMMARY OF POTENTIAL OR KNOWN PROBLEM
The warehouse is a light industrial area and in a densely populated location. The contents in the drums may be a serious fire and/or chemical hazard. Metallic Sodium violently decomposes water, forming gases which may ignite spontaneously and reacts vigorously with oxygen. PCBs emit highly toxic fumes when heated to combustion.

M. PREPARER INFORMATION

1. NAME
John T. Martin

2. TELEPHONE NUMBER
214/655-2275

3. DATE (mo., day, & yr.)
11-28-90

EPA Form 2070-8 (5-80)

REFERENCE 5

Record of Communication. Search for Current Property Owner. From: H. Joey Waldmann, Fluor Daniel, Inc. To: James Taylor, Bernell and Associates. April 9, 1997.

FLUOR DANIEL GTI

120 Amedee Drive, Scott, LA 70583
Tel: (318) 234-0504 Fax: (318) 234-8458

GEOLOGIST: JOEY WALDMANN HJW **Date:** 4-9-97

Made Call ( ) Received Call (X) 11:45 - 11:55 Returned Call ( )

CONTACT:

Name: James Taylor **Project Name:** 3308-0 Elk Blvd
Address: Bernell + Associates **Project No.:** Houston
713-526-1094 **Phone No.:**

SUMMARY OF CONVERSATION:

Jim Taylor returned my HJW a call placed to Ronald Bernell w/ Bernell + Assoc.; Bernell + Associates is a holding company who bought the subject warehouse in 1996; there are no drums onsite presently, in fact currently another tenant occupies that part of the warehouse. I told him that we are looking for documentation proving the drums were removed + no contamination remains: I also mentioned that unless we have documentation, we'll need to conduct a walkthrough of the site and to do that we need the property owners written approval - which means a threatening letter. He said that kind of letter would cause lots of commotion w/ their
Response: legal dept. but would be happy to give us a
Copy this memo to: guided walkthrough - minus the letter. Told him I would call him back.